

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/5/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIVEVIDEO.AI CORP,

Plaintiff,

-against-

SHARI REDSTONE, et al.,

Defendants.

24-CV-6290 (DEH) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

On January 28, 2025, this Court issued an Order (Dkt. 74) denying plaintiff's reconsideration motion (Dkt. 70) and directing plaintiff to show cause, on February 6, 2025, why this action should not be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m). The Order concluded: "This in an in-person proceeding. Plaintiff's counsel of record must appear."

Late this afternoon, my chambers staff called plaintiff's counsel of record, Alfred C. Constants III, at the telephone number listed on the docket of this action, and – as a courtesy – left a message reminding counsel of the February 6 proceeding.

At approximately 6:30 p.m., chambers received a call from an individual identifying himself as Mr. Constants, who stated that he "didn't see" my January 28 Order and could not attend the February 6 show-cause hearing because he is on trial in a case pending in Bergen County, New Jersey. Chambers directed the caller to provide immediate notice of his claimed inability to appear to counsel for defendant National Amusements, Inc. (NAI), but the Court is not confident that notice has in fact been given.

It is hereby ORDERED that the show-cause hearing is ADJOURNED to **February 12, 2025, at 12:00 noon in Courtroom 20A, 500 Pearl Street, New York, NY 10007. This in an in-person proceeding. Plaintiff's counsel of record must appear.** At the February 12 hearing, counsel must also show cause why he should not be sanctioned pursuant to Fed. R. Civ. P. 16(f)

for failing, without excuse, either to obey this Court's January 28 Order or to seek an adjournment well in advance of the scheduled hearing, as required by Moses Ind. Prac. § 2(a) and common professional courtesy.

Dated: New York, New York
February 5, 2025

SO ORDERED.



BARBARA MOSES
United States Magistrate Judge